

Appendix 20

Owners Consent and Correspondence

RAYSHIELD PTY LTD

ABN. 94 090 717 310

SUITE 4, THE POINT @ VARSITY, 47 WATTS DRIVE, VARSITY LAKES, QLD 4227

PO BOX 5734, GOLD COAST MC, QLD 9726

TEL: (07) 5657 5100 FAX: (07) 5657 5120

9 August 2007

Mr Robert Hart; Director
Natuna Pty Ltd
Suite 301, 88 Foveaux Street
SURRY HILLS NSW 2010

Dear Robert

RE: RIVEROAKS ESTATE - BALLINA

We refer to our letter dated 30 July 2007 regarding our new DA Ref. MP06-0118 and confirm that we were subsequently contacted by your Town Planner, Evan Elford of Ardill Payne & Partners, upon receipt of a copy of our letter and your verbal instructions.

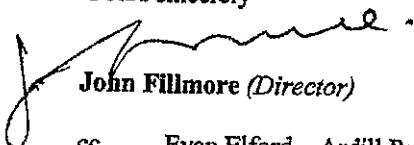
We understand from Evan that Natuna is now prepared to agree to Items 1 and 2 of our letter dated 30 July 2007. With respect to Item (3) he advised that you do not wish to surrender DA 2002/566, but rather it is Natuna's preference to activate the consent and submit Section 96 variations to the Authority with our concurrence. Would you kindly write to us confirming the above as a formal response to our letter of 30 July 2007.

It is envisaged that in order to have any meaningful discussions and outcome for all parties, the following matters would need to be understood:-

1. The 'Link Road' reserve would need to be immediately dedicated to the Ballina Shire Council (with agreed offsets) for the purposes of a public road.
2. Cost sharing agreed in relation to:-
 - The Pacific Highway intersection and Link Road works
 - Construction and land allocation of the playing fields
 - Relocation of overhead power to underground
 - Floodway works required by Ballina Shire Council
 - Preparation and submission of Deferred Conditions requirements under DA 2002/566
3. Support by each party to the others applications, eg. Section 96 application and new DA's, etc.
4. Development integration issues such as cycleways, pedestrian links and other matters that may require a combined approach.
5. Retention of the current staging as envisaged under DA 2002/566.
6. That negotiations should be conducted first hand and not through third parties unless otherwise agreed.

We would be pleased if you would consider the above matters at your earliest convenience.

Yours sincerely



John Fillmore (Director)

cc Evan Elford - Ardill Payne & Partners

13 August 2007

Rayshield Pty. Ltd.
Suite 4, The Point @ Varsity
47 Watts Drive
Varsity Lakes QLD 4227

Attention: John Fillmore

Dear John

Re: Riveroaks Estate, Ballina

I have your letters of 30 July and 9 August 2007.

I am able to confirm that I will agree to propositions 1) and 2) of your letter of 30 July. Proposition 3) however does require some work.

I respond hereunder, using your numbering, to the proposals put forward in your letter of 9 August.

1. I am prepared to make immediate arrangements for the dedication of the link road land.
2. I agree on my own behalf and on behalf of Natuna Pty. Ltd. to commit, on a proportional basis, to the payment of expenses related to those items which, under the terms of the current consent are contemplated as being "shared cost" items. These items might include, inter alia, those identified by bullet points in your letter.
3. Agreed.
4. Agreed.
5. Our purpose in seeking to activate the current consent is to retain for both of us its benefits but place us in a position to capitalise upon any opportunity which may present itself without necessarily prejudicing your preferred programme or staging.
6. Agreed. In this regard I am happy in the first instance, to meet with you either on the Gold Coast or in Ballina. Please advise me which you would prefer.

The foregoing is predicated upon the understanding that we will jointly proceed immediately to the activation of the current development consent. I should also point out that I/we reserve the right to divest ourselves of the property but in that event would require any successor in title to contract to observe the terms of any agreement entered into by Hart or Natuna with Rayshield.

If you would prefer to have any agreement reached enshrined in a formal deed, then may I suggest that such deed be prepared by a neutral solicitor.

I trust that this letter will satisfy your present enquiries and I will await your further advice.

Yours sincerely
Surry Properties
On behalf of RP Hart and Natuna Pty. Ltd.

A handwritten signature in black ink, appearing to be 'Robert Hart', written over a horizontal line.

Robert Hart

cc: Evan Elford, Ardill Payne & partners

NSW Government
Department of Planning
GPO Box 39
Sydney NSW 2001

4/05/07

Attention Paula Tomkins

Dear Paula,

Re Riveroaks, Ballina—Rayshield P/L [MP06_0118]

As owners of the property known as Lot2 BP1074242, we hereby grant consent for Rayshield Pty Ltd to submit a new Development Application for residential subdivision on the adjoining properties known as lots 1,3 and 5 DP10764242.

Infrastructure works including storm water drainage, water & sewerage mains are to be located on our land for the proposed development and we shall require Rayshield P/L to consult & provide us with engineering drawings for works within our property for approval prior to the works proceeding.

Yours Faithfully,



D. T. Cook

*Country Energy***NOTICE OF ARRANGEMENT FOR ELECTRICITY SUPPLY TO A NEW
SUBDIVISION / ALLOTMENT**

Project Number: 519799

3rd July 2007Land Partners Limited
PO Box 1134
LISMORE NSW 2478

Attention: Mr B Hammond

Country Energy

Phone: 132356

PO Box 718
QUEANBEYAN NSW 2620

Dear Sir

**RE: ELECTRICITY SUPPLY AND POWERLINE RELOCATION.
RIVEROAKS ESTATE - PACIFIC HIGHWAY, BALLINA**

Country Energy wishes to advise that satisfactory discussions have taken place to ensure the developers are aware of the requirements for the relocation of existing powerlines that cross the development and provision of underground electricity supply to the 234 allotments numbered 1 to 234 of the above subdivision.

The issue of this Notice of Arrangement is subject to the following conditions:

- Relocation of the High voltage underground/overhead electrical reticulation will be subject to complying with standard design and construction practices and Country Energy's Capital contributions policy
- A design Information Package detailing requirements of work will be issued to the appropriately Authorised Level 3 Accredited Service Provider after an official application is submitted to Country Energy for assessment.
- All overhead/underground service installation and connection between the network and the point of supply to each lot shall be undertaken by appropriately Authorised Level 2 Accredited Service Providers and constructed to the requirements specified in the NSW Service and Installation Rules.

Yours faithfully

Colin McLachlan
Contestable Works Officer



Our Ref:

Mr Geoff Rose
Rayshields Pty Ltd
PO Box 5734
GOLD COAST QLD 9726

29 May 2007

Dear Mr Rose

Re: Compensatory Works: Riveroaks, Ballina

I refer to your email sent 23 May 2007 which included a letter seeking indication of DPI Fisheries' position with regard compensatory / offset requirements for three approvals associated with the development of the Riveroaks site, specified as 2.02 (a), (b) and (c).

I state the following with respect to each component of the proposed compensatory works for the relevant approvals for the development of the Riveroaks site:

2.02 (a)

DPI Fisheries has no objection with regard the proposal outlined in the letter dated 23 May 2007 specifically: "that payment of these fees shall offset the requirement for Rayshield to revegetate the 1.4 Ha of land under DA2006/650."

2.02 (b)

DPI Fisheries can not pre-empt the Minister for Planning's determination of MP06 0118. DPI Fisheries is primarily concerned with minimising impacts on key fish habitats and where this cannot be achieved, off-setting impacts on key fish habitats. It should be noted that in the instances of DA 2002/566 the primary areas requiring off-sets were adjacent to the North Creek Canal. I understand MP06 0118 does not abut North Creek Canal.

2.03 (c)

DPI Fisheries, cognisant of permissibility under other approvals, has no objection to the compensatory / off-set area required by DA2002/566 being relocated. In this instance the former NSW Fisheries understood the compensatory location to be only conceptual and in correspondence to Ballina Council circa March 2002 indicated that the proposed compensatory area could be compromised by the proposed 'link road'.

Furthermore, in this instance, because of the wording of the condition which reads: "establishment and management of 2.76 ha compensatory wetland area habitat", DPI Fisheries has agreed to accept rehabilitation of wetland habitats generally as satisfying the condition rather than binding the proponent to rehabilitate mangrove habitats only.

If you have any further enquiries please contact me on (02) 6626 1397.

Yours sincerely

Patrick Dwyer
Fisheries Conservation Manager (North)

*file RTA.
Ardill*

Geoff Rose

From: Evan Elford [evane@ardillpayne.com.au]
Sent: Friday, 27 April 2007 11:09 AM
To: grose@glenzeil.com.au
Subject: FW: Riveroaks roundabout[Scanned]
Attachments: 6316-C5-RevC-16-04-07.pdf; PDF's 03-04-07.zip

Geoff

Latest from RTA – not sure if that means we will also get a letter of confirmation – will request one anyway.

When printing out the documents please ensure drawing C5 – revB is replaced with the updated rev C version.

Regards
Evan

From: PERKINS John G [mailto:John_Perkins@rta.nsw.gov.au]
Sent: Friday, 27 April 2007 8:17 AM
To: Evan Elford
Subject: RE: Riveroaks roundabout[Scanned]

Evan

I received information yesterday which is an acceptance of the modified jointing arrangement
 The RTA accepts the latest concept design drawings as per the attachments for the roundabout at the Pacific Highway and North Creek Road
 This email doesn't represent an approval to commence construction work within the State road reserve.
 The developer will be required to enter into a Works Authorisation Deed (WAD) to cover the proposed works.
 If you require further information regarding the WAD process please contact me
 Regards

John Perkins

Project Officer
 RTA Project Management Services
 Northern Region Grafton
 Ph 02 66049328
 Mobile 0429 394747
 Fax 02 6640 1006

From: Evan Elford [mailto:evane@ardillpayne.com.au]
Sent: Thursday, 26 April 2007 16:07 PM
To: PERKINS John G
Subject: Riveroaks roundabout

John

We received a further request to modify jointing arrangements on 13th April – revised details were forwarded to you on 16th April – could you give me an update on time for issue of approval in principal letter.

Regards
Evan

Evan Elford for
Ardill Payne & Partners

27/04/2007

**Civil & Structural Engineering
Environmental Engineering
Town Planning & Project Management
Surveying**
79 Tamar Street
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Ballina NSW 2478
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